

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

----- x
PETER MCKEEVER, :
Plaintiff, : Civil Action
v. : No. 10-40232-FDS
EMC CORPORATION, :
Defendant. :
----- x

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, it is hereby stipulated and agreed to, by and between plaintiff Peter McKeever and defendant EMC Corporation, that this action and all claims herein are dismissed with prejudice, without costs, and with each party waiving all rights of appeal.

Dated: November 29, 2011
Boston, Massachusetts

/s/ Katherine G. Rigby
Joshua M. Davis (BBO #558852)
Katherine G. Rigby (BBO #676436)
OGLETREE, DEAKINS, NASH,
SMOAK & STEWART P.C.
One Boston Place, Suite 3220
Boston, Massachusetts 02108
(617) 994-5700
joshua.davis@ogletreedeakins.com
kate.rigby@ogletreedeakins.com

Joseph L. Buckley (admitted *pro hac vice*)
Richard H. Epstein (admitted *pro hac vice*)
SILLS CUMMIS & GROSS P.C.
One Riverfront Plaza
Newark, New Jersey 07102
(973) 643-7000
jbuckley@sillscummis.com
repstein@sillscummis.com

Counsel for Plaintiff
Peter McKeever

Respectfully submitted,

/s/ James R. Caroll
James R. Carroll (BBO #554426)
Eben P. Colby (BBO #651456)
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
One Beacon Street
Boston, Massachusetts 02108
(617) 573-4800
james.carroll@skadden.com
eben.colby@skadden.com

Of Counsel:
Paul T. Dacier (BBO #616761)
Elizabeth M. McCarron (BBO #567517)
Stewart A. Broder (BBO #543110)
EMC Corporation
176 South Street
Hopkinton, Massachusetts 01748
(508) 435-1000

John Mirick (BBO #349240)
MIRICK, O'CONNELL,
DEMALLIE & LOUGEE, LLP
100 Front Street
Worcester, Massachusetts 01608
(508) 791-8500
jmirick@mirickoconnell.com

Counsel for Defendant
EMC Corporation

SO ORDERED:

Dated: _____
United States District Judge

F. Dennis Saylor IV